

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

| | | |
|---|---|--------------------------------|
| MARCIA R. POLK, individually and |) | |
| on behalf of others similarly situated, |) | |
| |) | |
| |) | FLSA COLLECTIVE ACTION |
| |) | COMPLAINT |
| Plaintiff, |) | |
| |) | |
| vs. |) | CASE NO. 1:19-cv-04529-JPH-MJD |
| |) | |
| SSCP PROPERTY MANAGEMENT, LLC |) | |
| d/b/a SNAPBOX STORAGE, |) | |
| |) | |
| Defendant. |) | |

**JOINT MOTION FOR COURT
APPROVAL OF SETTLEMENT AND DISMISSAL OF COMPLAINT**

Plaintiff Maricia R. Polk (“Polk”), individually and on behalf of others similarly situated, and Defendant, SSCP Property Management, LLC, d/b/a Snapbox Storage (collectively “the Parties”), by and through their respective attorneys, jointly move the Court to approve the settlement agreement entered between the Parties. In support of the motion, the Parties state as follows:

1. Polk, individually and on behalf of others similarly situated, filed a complaint against Defendant alleging violations of the Fair Labor Standards Act (“FLSA”) arising out of her former employment with Defendant.

2. On January 14, 2020, the Parties filed their Joint Motion for Conditional Certification of a FLSA Collective Action and Approval of Proposed Collective Action Notice (“Joint Motion”). [Dkt. 16.] The Court approved the Joint Motion on January 15, 2020. [Dkt. 17.]

3. Following notice of the collective action as provided in the Joint Motion, two additional plaintiffs opted into the cause of action. [Dkts. 24 and 25.]

4. Following negotiations between counsel for Defendant and counsel for Plaintiffs, the Parties reached a mutually satisfactory settlement.

5. Settlement of an action for wages under the FLSA requires the Court's review for fairness. *Walton v. United Consumers Club Inc.*, 786 F2d 303, 306 (7th Cir. 1986).

6. Attached hereto as Exhibit A is the Settlement Agreement and General Release ("Settlement Agreement") entered into between Defendant and Plaintiffs.

7. The Parties request the Court approve the Settlement Agreement because it is a fair and reasonable resolution of their bona fide disputes over wages and attorney fees under the FLSA.

8. Upon approval of the Settlement Agreement, the Parties further request the dismissal of this cause of action in total, and with prejudice, with each party to bear its or his or her own costs and attorneys' fees, except as otherwise agreed.

WHEREFORE, for the foregoing reasons, Plaintiffs and Defendant respectfully request the Court enter an Order approving the Settlement Agreement as a fair and reasonable resolution of bona fide disputes under the FLSA and dismiss this cause of action as set forth above and with each party to bear the costs and attorneys' fees, except as otherwise agreed.

Respectfully submitted,

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